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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,707	12/30/2003	Radhika R. Roy	ATT-130AUS	2129
26652	7590	11/21/2008		
AT&T CORP. ROOM 2A207 ONE AT&T WAY BEDMINSTER, NJ 07921			EXAMINER VU, VIET DUY	
			ART UNIT 2454	PAPER NUMBER
			MAIL DATE 11/21/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/748,707	Applicant(s) ROY ET AL.	
	Examiner Viet Vu	Art Unit 2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Art Rejections:

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baum et al, U.S. pat. Appl. Pub. No. 2003/0211839.

Per claims 1 and 8, Baum discloses a real-time communications system comprising:

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- a)** an inter-architecture network (Internet) comprising a plurality of external networks (LAN 501, 503) utilizing a single IP protocol (see par. 58-59);
- b)** a plurality of border elements (516, 518, fig. 5), each of said border elements in communication with said inter-architecture network and each of said border elements in communication with an external network (501, 503, fig. 5) (see par. 60-61) wherein each border elements converts a protocol of the respective external network to the single protocol (see par. 15); and
- c)** a plurality of call control elements (536), each of said call control elements in communication with said inter-architecture network (see par. 62-66).

Baum does not explicitly teach that each external network uses different access protocol. However Baum teaches using a layer 3 network to connect different layer 2 networks (see par. 11 and 58-59).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to recognize that Baum's invention would have allowed implementing layer 2 networks that used different access protocols.

Per claim 2, it is noted that the Internet comprises many media servers (e.g., web sites) (see par. 20).

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Per claims 3 and 9, Baum teaches utilizing many essential network elements including DHCP server and core routers (see par. 60).

Per claims 4-5, Baum teaches employing E911 server for providing assistance to law enforcement personnel (see par. 67).

Per claims 6-7, Baum also teaches employing other application servers and network resource servers (532, 534, 537) to provide call control/routing functions (see par. 65).

Per claims 10-12, it is noted that Baum's system would accommodate any conventional external networks utilizing any known protocols (see par. 58).

Response to Amendment:

4. Applicant's arguments filed on 11/7/08 with respect to claims 1-12 have been fully considered but they are moot in view of new ground of rejection set forth above.

Applicant alleges that Baum fails to teach that each of the external networks utilizing different access protocol.

The examiner disagrees. Baum clearly teaches using a layer 3 network to connect different layer 2 networks (see par. 11 and 58-59). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to recognize

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that Baum's invention would have allowed implementing layer 2 networks that used different access protocols.

Applicant also alleges that Baum fails to teach that the edge router perform protocol conversion.

The examiner disagrees. Baum clearly teaches that the edge router perform protocol conversion (see par. 15).

Conclusion:

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 4:00pm. The Group general information number is 571-272-2100. The Group fax number is 571-273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on 571-272-1915.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Viet Vu/
Primary Examiner, Art Unit 2454
11/14/08